APPENDIX B

Schedule of Correspondence Supporting FNB's Mail Fraud Allegations

DATE	FROM	TO	DOCUMENT/ENCLOSURE
1. 100 REALTY LOAN			
12/06/85	Gelt on behalf of 100 Realty Co. Herzka, Ralph	FNB	Executed Commitment Letter
12/10/85	Gelt	Esther Shur	Gelt Commitment Letter
2. 212 EAST 13TH ASSOCIATES			
02/05/86	Gelt Herzka, Ralph	FNB	Gelt Commitment Letter
03/04/86	Gelt Herzka, Ralph	FNB	Letter re: Refinance
03/05/86	Gelt Herzka, Ralph	Jeffrey Braun	Gelt Commitment Letter

DATE	FROM	TO	DOCUMENT/ENCLOSURE
3.	**455 WEST 34TH STREET ASSOCIATES**		
12/04/86	Gelt on behalf of 455 West 34th Street Associates Herzka, Ralph	FNB	Executed Commitment Letter
12/08/86	Gelt Malek, David	455 West 34th Street Associates	Gelt Commitment Letter
4.	**4395 BROADWAY OWNERS CORP.**		
04/06/87	Gelt Herzka, Ralph	4395 Broadway Owners Corp. Twerski, Labe	Gelt Commitment Letter
5.	**625 MARLBOROUGH ASSOCIATES**		
07/21/87	Gelt on behalf of 625 Marlborough Associates Herzka, Ralph	FNB	Executed Commitment Letter
07/10/87	Gelt Herzka, Ralph	625 Marlborough Associates	Gelt Commitment Letter

DATE	FROM	TO	DOCUMENT/ENCLOSURE
6.	**43-25 43rd OWNERS CORP.**		
08/18/87	Gelt on behalf of 43-25 43rd Owners Corp. Twerski, Labe	FNB	Executed Commitment Letter
7.	**DITMAS GARDENS ASSOCIATES**		
07/30/87	Gelt on behalf of Ditmas Gardens Associates Braun, Jeffrey	FNB	Executed Commitment Letter
08/19/87	Gelt Herzka, Ralph	FNB	Proposed Modifications to Commitment Letter
8.	**NEW HEIGHTS 173-174 LIMITED PARTNERSHIP**		
10/27/87	Gelt on behalf of New Heights (173-174) L.P. (illegible)	FNB	Executed Commitment Letter

DATE	FROM	TO	DOCUMENT/ENCLOSURE
9. 505 REALTY ASSOCIATES			
11/30/87	Gelt Herzka, Ralph	FNB	Legal Description of Property
No date	Gelt Herzka, Ralph	FNB	Re: points on the loan
No date	Gelt Herzka, Ralph	FNB	Re: satisfaction of judgment against Shimon Eckstein
12/22/87	Gelt on behalf of 505 Realty Associates Eckstein, Shimon	FNB	Executed Commitment Letter
10. PROSPECT REALTY ASSOCIATES			
Unknown	Gelt Herzka, Ralph	FNB	Re: Interest Rate Change
11/30/87	Gelt Herzka, Ralph	FNB	Re: Legal Descriptions

DATE	FROM	TO	DOCUMENT/ENCLOSURE
12/22/87	Gelt on behalf of Prospect Realty Associates Wolf, Juda	FNB	Executed Commitment Letter
11.	**NEW HEIGHTS (765) RIVERSIDE LIMITED PARTNERSHIP**		
12/21/87	Gelt on behalf of New Heights (765) Riverside L.P. Moss, Michael	FNB	Executed Commitment Letter
12.	**1691 EASTBURN REALTY CO.**		
07/07/88	Gelt on behalf of 1691 Eastburn Realty Co. Gross, Sol	FNB	Executed Commitment Letter
13.	**4315-4333 46TH STREET APTS. CORP.**		
12/29/87	Gelt on behalf of 4315-4333 46th St. Apts Corp. Twerski, Labe	FNB	Executed Commitment Letter

DATE	FROM	TO	DOCUMENT/ENCLOSURE
01/11/88	Gelt Herzka, Ralph	FNB	Re: transfer to coop, and paying 1/2% at closing
14. FLATBUSH AVENUE REALTY ASSOCIATES			
01/26/88	Gelt Herzka, Ralph	James G. Peel Associates	Appraisal Request
15. 730 GRAND CONCOURSE			
Unknown	Gelt Herzka, Ralph	FNB	Re: mortgage amount and interest rate
04/29/88	Gelt on behalf of 730 Realty Associates Malek, David	FNB	Executed Commitment Letter
16. 740 REALTY ASSOCIATES			
Unknown	Gelt Herzka, Ralph	FNB	Re: mortgage amount, interest rate and due on sale clause

DATE	FROM	TO	DOCUMENT/ENCLOSURE
17. 1261 CENTRAL AVENUE OWNERS CORP.			
03/31/88	Gelt Herzka, Ralph	FNB	Re: loan terms
04/20/88	Gelt Herzka, Ralph	FNB	Re: points
05/03/88	Gelt Herzka, Ralph	FNB	Re: no pre-payment penalty
05/17/88	Gelt	FNB	Re: Loan Application and financial statements for E. Shur & E. Cohen
18. 2608 REALTY LOAN			
Unknown	Gelt Weinberg, Jeffrey	FNB	Re: Set-Up, Rent Roll, Contract, Lock-In
Unknown	Gelt Weinberg, Jeffrey	FNB	Re: Lock-In Rate

DATE	FROM	TO	DOCUMENT/ENCLOSURE
08/10/88	Gelt on behalf of 2608 Realty Associates Werdiger, Solomon	FNB	Executed Commitment Letter
08/12/88	Gelt Herzka, Ralph	FNB	Re: Appraisal Fee
08/17/88	Gelt Herzka, Ralph	FNB	Re: Asbestos Report
08/22/88	Gelt Herzka, Ralph	FNB	Re: Tax Returns
08/23/88	Gelt Herzka, Ralph	FNB	Re: Commitment
08/26/88	Gelt Herzka, Ralph	FNB	Re: Work Orders
01/10/89	Gelt Platschek, Goldie	FNB	Re: Escrow
01/16/89	Gelt Horowitz, Linda	FNB	Re: Business Certificate for Partners

DATE	FROM	TO	DOCUMENT/ENCLOSURE
02/13/90	Gelt Horowitz, Linda	FNB	Re: Escrow Agreement
19. 36 PLAZA STREET OWNERS CORP.			
08/09/88	Gelt Herzka, Ralph	FNB	Re: Loan amount, interest rate, and amortization schedule
08/12/88	Gelt Horowitz, Linda	FNB	Check for appraisal fee
08/19/88	Gelt on behalf of 36 Plaza St. Owners Corp. (Cohen, Elaine) for Herzka, Ralph	FNB	Executed Commitment Letter
08/25/88	Gelt Herzka, Ralph	FNB	Assignment of contract of sale, and asbestos report
20. 1958 REALTY ASSOCIATES			
06/10/88	Gelt Horowitz, Linda	FNB	Rent roll; Set-up; and purchase contract
08/12/88	Gelt Horowitz, Linda	FNB	Check for appraisal fee

DATE	FROM	TO	DOCUMENT/ENCLOSURE
09/20/88	Gelt on behalf of 1958 Realty Associates (illegible)	FNB	Executed Commitment Letter
09/29/88	Gelt Horowitz, Linda	FNB	Check for commitment fee
01/06/89	Gelt Horowitz, Linda	FNB	Asbestos report
21. 2344 DAVIDSON ASSOCIATES			
06/29/88	Gelt Weinberg, Jeffrey	FNB	Income and expense statement; rent roll; and purchase contract
09/29/88	Gelt on behalf of 2344 Davidson Associates Malek, David	FNB	Executed Commitment Letter
10/11/88	Gelt Horowitz, Linda	FNB	Asbestos report
22. 43-01 46TH STREET OWNERS CORP.			
08/11/88	Gelt	FNB	Re: interest rate

DATE	FROM	TO	DOCUMENT/ENCLOSURE
08/11/88	Gelt Weinberg, Jeffrey	FNB	Rent roll; and contract of sale
09/19/88	Gelt Herzka, Ralph	FNB	Re: closing date, loan amount, amortization period and provision of guarantee.
9/28/88	Gelt Platschek, Goldie	FNB	Title report
09/28/88	Gelt on behalf of 43-01 46th Street Twerski, Labe	FNB	Executed Commitment Letter
10/11/88	Gelt on behalf of 43-01 46th St. Owners Corp. Horowitz, Linda	FNB	Executed Commitment Letter
10/17/88	Gelt Horowitz, Linda	FNB	Asbestos report

DATE	FROM	TO	DOCUMENT/ENCLOSURE
23. 350 STERLING ASSOCIATES			
09/16/88	Gelt Weinberg, Jeffrey	FNB	Rent roll; purchase contract; and summary of property and borrower information
10/31/88	Gelt Herzka, Ralph	FNB	Loan application; financial statements, and tax returns
11/11/88	Gelt on behalf of 350 Sterling Associates	FNB	Executed Commitment Letter
11/17/88	Law Offices of Allen I. Gross Stein, Aaron	Gelt	Re: no partnership agreement for borrower
11/17/88	Gelt Horowitz, Linda	FNB	Business Certificate
24. CROWN EQUITIES			
12/19/88	Gelt Platschek, Goldie	FNB	Re: survey reading and survey print
12/12/88	Gelt Platschek, Goldie	FNB	Re: title report

DATE	FROM	TO	DOCUMENT/ENCLOSURE
12/12/88	Gelt Horowitz, Linda	FNB	Enclosing commitment fee, signed FNB commitment letter, and asbestos report
12/5/88	Gelt Horowitz, Linda	FNB	Enclosing borrower certifications and letter re judgment against M. Moss
11/25/88	Gelt Horowitz, Linda	FNB	Re: tax returns
10/10/88	Gelt Horowitz, Linda	FNB	Enclosing check for appraisal fee
25. BROOKHAVEN REALTY			
09/23/88	Gelt Weinberg, Jeffrey	FNB	Re: Set-Up, Rent Roll, Contract of Sale, etc.
11/21/88	Gelt Horowitz, Linda	FNB	Re: Asbestos Report

DATE	FROM	TO	DOCUMENT/ENCLOSURE
26. 273 REALTY ASSOCIATES			
02/22/89	Gelt on behalf of 273 Realty Associates Halberstam, Mordechai	FNB	Executed Commitment Letter
27. BONETTO REALTY			
2/17/89	Gelt Herzka, Ralph	FNB	Re: income and expense statement, rent roll, sales contract and check for appraisal fee
5/2/89	Gelt Herzka, Ralph	FNB	Re: incorporation of borrower
5/4/89	Gelt Herzka, Ralph	FNB	Re: loan application, financial statements, certifications, tax returns and real property analysis
6/22/89	Gelt Horowitz, Linda	FNB	Enclosing Assignment to Contract of Sale

DATE	FROM	TO	DOCUMENT/ENCLOSURE
28. CAVALIERO REALTY			
5/15/89	Gelt Herzka, Ralph	FNB	Re: transfer of property to corporate borrower
5/2/89	Gelt Herzka, Ralph	FNB	Re: title holder of property
5/2/89	Gelt Herzka, Ralph	FNB	Re: loan number assigned to loan
29. VERDIN REALTY			
5/17/89	Gelt Horowitz, Linda	FNB	Re: satisfaction of judgments
5/15/89	Gelt Herzka, Ralph	FNB	Re: transfer of property to corporate borrower
5/2/89	Gelt Herzka, Ralph	FNB	Re: title holder on property

DATE	FROM	TO	DOCUMENT/ENCLOSURE
5/2/89	Gelt Herzka, Ralph	FNB	Re: loan number assigned to loan
2/17/89	Gelt Herzka, Ralph	FNB	Re: income and expense statement, rent roll, sales contract and check for appraisal fee

30. ADAR TWO REALTY ASSOCIATES

05/04/89	Gelt Herzka, Ralph	FNB	Income & expense information; and itemized rent roll
07/27/89	Gelt Birnbaum, Aaron	FNB	Borrower information
07/28/89	Gelt Birnbaum, Aaron	FNB	Loan application; personal financial statements for borrowers
08/23/89	Gelt for Adar Two Realty Associates (Herzka, Ralph) for Friedman, Joseph	FNB	Executed Commitment Letter (Amended)

EXHIBIT 5

Title 18, United States Code, Section 1344

§ 1344. Bank fraud

Whoever knowingly executes, or attempts to execute, a scheme or artifice—

(1) to defraud a financial institution; or

(2) to obtain any of the moneys, funds, credits, assets, securities, or other property owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises;

shall be fined not more than $1,000,000 or imprisoned not more than 30 years, or both.

Title 18, United States Code, Section 1961(1)

§ 1961. Definitions

As used in this chapter—

(1) "racketeering activity" means (A) any act or threat involving murder, kidnapping, gambling, arson, robbery, bribery, extortion, dealing in obscene matter, or dealing in narcotic or other dangerous drugs, which is chargeable under State law and punishable by imprisonment for more than one year; (B) any act which is indictable under any of the following provisions of title 18, United States Code: Section 201 (relating to bribery), section 224 (relating to sports bribery), sections 471, 472, and 473 (relating to counterfeiting), section 659 (relating to theft from interstate shipment) if the act indictable under section 659 is felonious, section 664 (relating to embezzlement from pension and welfare funds), sections 891-894 (relating to extortionate credit transactions), section 1029 (relating to fraud and related activity in connection with access devices), section 1084 (relating to the transmission of gambling information), section 1341 (relating to mail

fraud), section 1343 (relating to wire fraud), section 1344 (relating to financial institution fraud), sections 1461-1465 (relating to obscene matter), section 1503 (relating to obstruction of justice), section 1510 (relating to obstruction of criminal investigations), section 1511 (relating to the obstruction of State or local law enforcement), section 1512 (relating to tampering with a witness, victim, or an informant), section 1513 (relating to retaliating against a witness, victim, or an informant), section 1951 (relating to interference with commerce, robbery, or extortion), section 1952 (relating to racketeering), section 1953 (relating to interstate transportation of wagering paraphernalia), section 1954 (relating to unlawful welfare fund payments), section 1955 (relating to the prohibition of illegal gambling businesses), section 1956 (relating to the laundering of monetary instruments), section 1957 (relating to engaging in monetary transactions in property derived from specified unlawful activity), section 1958 (relating to use of interstate commerce facilities in the commission of murder-for-hire), sections 2312 and 2313 (relating to interstate transportation of stolen motor vehicles), sections 2314 and 2315 (relating to interstate transportation of stolen property), section 2321 (relating to trafficking in certain motor vehicles or motor vehicle parts), sections 2341-2346 (relating to trafficking in contraband cigarettes), sections 2421-24 (relating to white slave traffic), (C) any act which is indictable under title 29, United States Code, section 186 (dealing with restrictions on payments and loans to labor organizations) or section 501(c) (relating to embezzlement from union funds), (D) any offense involving fraud connected with a case under title 11, fraud in the sale of securities, or the felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in narcotic or other dangerous drugs, punishable under any law of the United States,

or (E) any act which is indictable under the Currency and Foreign Transactions Reporting Act;

Title 18, United States Code, Section 1964(c)

§ 1964. Civil remedies

(c) Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee.

DATE	FROM	TO	DOCUMENT/ENCLOSURE
08/24/89	Gelt on behalf of Adar Two Realty Associates (Herzka, Ralph) for Friedman, Joseph	FNB	Executed Commitment Letter
11/03/89	Gelt Horowitz, Linda	FNB	Re: no written partnership agreement for borrower